



UNIVERSITY OF
TORONTO
FACULTY OF LAW

BORA LASKIN LAW LIBRARY



3 1761 09564215 3

HISTORY AND THEORY OF THE COMMON LAW

Volume 2

Fall Term 2013

Angela Fernandez

STORAGE

**K
588
.F47
2013
v.2
c.1**

BORA LASKIN LAW LIBRARY

SEP - 3 2013

FACULTY OF LAW
UNIVERSITY OF TORONTO



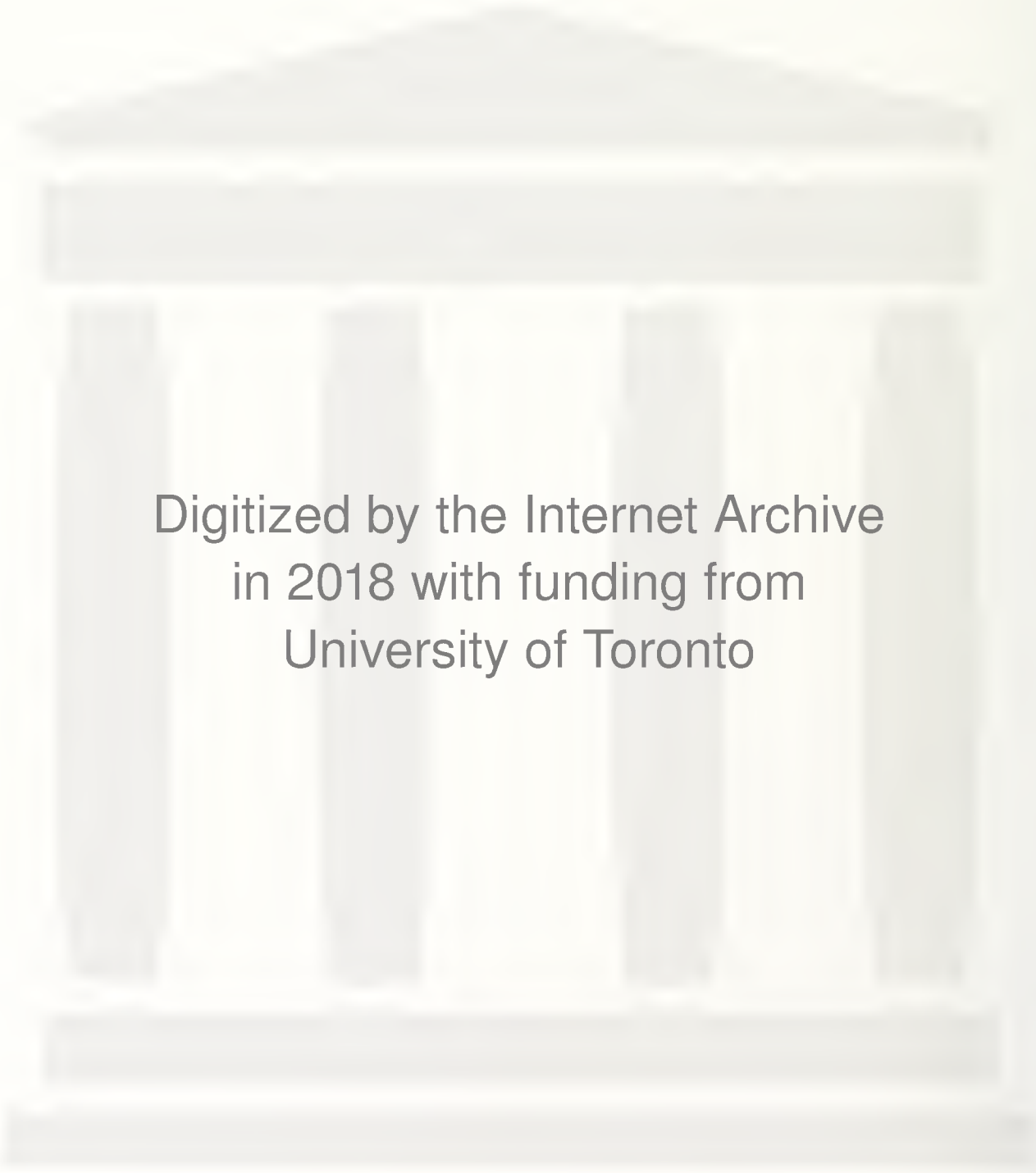
UNIVERSITY OF
TORONTO
FACULTY OF LAW

**HISTORY AND THEORY OF
THE COMMON LAW**

Volume 2

Fall Term 2013

Angela Fernandez



Digitized by the Internet Archive
in 2018 with funding from
University of Toronto

<https://archive.org/details/historytheoryofc02fern>

HISTORY AND THEORY OF THE COMMON LAW

Fall Term 2013
Angela Fernandez

Volume 2

	Page
Nov 11	(No class, Remembrance Day * Class Rescheduled to Friday Nov 15)
	“Critical” Scholarship
	• Robert M. Cover, “Violence and the Word”1
	• Duncan Kennedy, “Legal Education and the Reproduction of Hierarchy”30
Nov 18	Critical Legal History
	• Robert W. Gordon, “Critical Legal Histories”55
	• Hendrik Hartog, “Pigs and Positivism”124
Background:	
	• Law and Social Inquiry comments on Gordon’s original
D. British Tradition (Classes 10 & 11)	
Nov 25	Positivism
	• H.L.A. Hart, “Positivism and the Separation of Law and Morals”161
	• A.W.B. Simpson. “The Common Law and Legal Theory”165
Background	
	• Green encyclopedia entry on Positivism
Dec 2	Responses to Positivism
	• Ronald Dworkin, “Law’s Ambitions for Itself”179
	• Ronald Dworkin, “Hart’s Postscript and the Character of Political Philosophy”194
Background	
	• Allan, “The Rule of Law as a Rule of Reason: Consent and Constitutionalism”

